

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Edelberg et al.	Examiner:	Maury A. Audet
Serial No.:	10/527,832	Group Art Unit:	1654
Confirmation No.:	9990	Docket:	955-39 PCT/US
Filed:	September 19, 2005	Dated:	May 9, 2008
For:	HOMING PEPTIDES TO RECEPTORS OF HEART VASCULATURE		

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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Joyce Peterson
(Printed Name)

(Signature)

**RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT**

Sir:

The following is in response to the Office Action mailed January 9, 2008. This response is being filed within the fourth month after the mailing date of the Office Action. Accordingly, a three-month extension of time is requested herein. Please amend the above-identified application as follows:

Response to Restriction Requirement begins on page 2.

Amendments to the Claims begin on page 5 of this paper.

Remarks begin on page 11 of this paper.

Response to Restriction Requirement

In an Office Action on January 9, 2008, the Examiner has imposed a Restriction Requirement to one of the following inventions under the provisions of 35 U.S.C. §121:

- I. Claims 1-17, 52-65, drawn to a peptide of QA(Q/E)GQLV, or "functional equivalents thereof".
- II. Claims 18-32, 66-74, drawn to a peptide of ARRQAV, or "functional equivalents thereof".
- III. Claims 33-51, 75-85, drawn to a peptide ofG(RI/W)RFIRV, or "functional equivalents thereof".
- IV. Claims 86-91, 116-126, drawn to a method for determining young heart or young areas of heart vaculature in a mammal, comprising administering a peptide of QA(Q/E)GQLV, or "functional equivalents thereof".
- V. Claims 92-101, 127, 128, 131, 134-138, drawn to a method for determining old heart or old areas of heart vaculature in a mammal, comprising administering a peptide of ARRQAV, or "functional equivalents thereof".
- VI. Claims 92-101, 127, 129, 130, 132, 133-138, drawn to a method for determining old heart or old areas of heart vaculature in a mammal, comprising administering a peptide of G(R/W)RFIRV, or "functional equivalents thereof".

VII. Claims 102-115, drawn to a method for determining the condition of a vasculature of a heart in a mammal, comprising administering a first peptide of QA(Q/E)GQLV and a second peptide of ARRQAV or G(R/W)RFIRV, or “functional equivalents thereof”.

VIII. Claims 116-126, drawn to a method for delivering a functional moiety to a young heart vasculature, comprising administering a peptide of QA(Q/E)GQLV, or “functional equivalents thereof”.

IX. Claims 139-146, drawn to a method for discovering mimics of a peptide of QA(Q/E)GQIV, or “functional equivalents thereof”.

X. Claims 147-156, drawn to a method for discovering mimics of a peptide of ARRQAV, or “functional equivalents thereof”.

XI. Claims 147-156, drawn to a method for discovering mimics of a peptide of G(R/W)RFIRV, or “functional equivalents thereof”.

In response to the Restriction Requirement, Applicants elect the subject matter defined by the Claims of Group V, without traverse.

The Restriction Requirement also requires that Applicants elect a single peptide sequence as the invention. The examiner asserts that each compound is a patentably distinct invention.

In response, Applicants elect the peptide sequence ARRQAV (SEQ ID NO: 4),
without traverse.

Applicants reserve the right to pursue the claims of non-elected Groups in divisional
applications.